

09/902,876

1212USA/SYMBP144US

REMARKS

Claims 1-44 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1-4, 9-19, 23-30, 34-37, and 41-44 Under 35 U.S.C.**§102(e)**

Claims 1-4, 9-19, 23-30, 34-37, and 41-44 stand rejected under 35 U.S.C. §102(e) as being anticipated by Horstmann *et al.* (US 6,779,022). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Horstman *et al.* fails to teach or suggest each and every element of the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation* set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaa Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). *The identical invention must be shown in as complete detail as is contained in the ... claim.* *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject invention relates to a system and method for an automated messaging system that receives messages on a host computer, which subsequently passes the message along to a designated device. As such, the user is able to receive messages and send response messages while in a location remote from the host computer. To that end, independent claim 1 (and similarly independent claims 13, 16, 27, and 34) recites *sending a copy message from the designated device to the address associated with the host computer, said copy message being associated with the reply message.* Horstmann *et al.* does not teach or suggest each and every element of the subject claims.

Horstmann *et al.* relates to a mail server that collects messages from a plurality of mail servers and presents them to a user at a single location. In contrast to the invention

09/902,876

1212USA/SYMBP144US

as claimed, Horstmann *et al.* does not teach or suggest sending a *copy message* from the designated device to the address associated with the host computer as recited in the claims and defined in the specification. Specifically, in one aspect of the claimed invention, a reply message is sent to a recipient from a designated device, and a copy message of the reply is sent from the designated device to a host computer. (See pg. 9, ll. 10-18).

The Examiner posits that Horstmann *et al.* shows that a copy of the *original message* is retained at the host and that the user can use their wireless device to forward the original message to another device. Additionally, the Examiner asserts that Horstmann *et al.* further discloses that the host receives the reply message, and that the reply message is associated with the reply message that was sent to the original sender. (See Final Office Action dated May 31, 2005, pg. 5). Applicant's representative respectfully avers to the contrary. In more detail, Horstmann *et al.* is silent with regard to sending a copy of a *reply message* to the host computer, but instead discloses that when a receiving device replies to a message, the message is relayed to the intended recipient via the communications server. (See col. 5, ll. 50-52). In summary, Horstmann *et al.* provides for relaying reply messages through the communications server without ever contemplating sending a copy of the reply message to the host computer. Therefore, as it is apparent that Horstmann *et al.* does not teach or suggest sending a copy message from the designated device to the address associated with the host computer, said copy message being associated with the reply message (as claimed), it seems as if the Examiner is not providing patentable weight to the term *copy message* that is recited in the subject claims.

As Horstmann *et al.* does not disclose each and every aspect as claimed, it is readily apparent that the rejection of independent claims 1, 13, 16, 27, and 34 (and claims 2-4, 9-12, 14-15, 17-19, 23-26, 28-30, and 35-37 which respectively depend therefrom) should be withdrawn.

09/902,8761212USA/SYMBP144USCONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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